

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IFN

Applicant: Joshua Oen

Title: THERMAL INTERFACE APPARATUS, SYSTEMS, AND METHODS

Docket No.: 884.869US1

Filed: June 26, 2003

Examiner: Alicia Ann Chevalier

Serial No.: 10/607,733

Due Date: January 2, 2005

Group Art Unit: 1772

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450



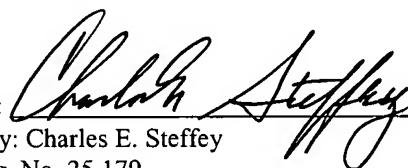
We are transmitting herewith the following attached items (as indicated with an "X"):

A return postcard.
 Response to Restriction Requirement (2 pgs.).

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

Customer Number 21186

By: 
Atty: Charles E. Steffey
Reg. No. 25,179

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 3rd day of January, 2005.

Dennis J. Kamph

Name


Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

(GENERAL)

S/N 10/607,733

PATENT

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Applicant: Joshua Oen

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Assignee: Intel Corporation

Examiner: Alicia A. Chevalier

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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

In response to the Restriction Requirement mailed December 2, 2004, the Applicant hereby elects, without traverse, Group I (claims 1-22). The Applicant reserves the right to reintroduce the non-elected claims 23-30 into this Application, or into one or more divisional applications at a later date.

It is respectfully noted that the Restriction Requirement has not followed the requirements of MPEP § 806.04(b), which states, in part:

Where inventions as disclosed and claimed are both (A) species under a claimed genus and (B) related, then the question of restriction must be determined by both the practice applicable to election of species and the practice applicable to other types of restrictions such as those covered in MPEP § 806.05 - § 806.05(i). If restriction is improper under either practice, it should not be required.

The analysis requires two criteria for a proper restriction: (A) the inventions must be independent or distinct, and (B) there must be a serious burden on the examiner. While a discussion of this topic is provided after a fashion, it occurs with respect to the "topsheet of a sanitary napkin" (see Paper Mail Date 11292004, Detailed Action, para. 2). Accordingly, since the requisite analysis has not been provided with respect to the claims of the instant Application so as to establish a proper restriction requirement, the Applicant requests that the requirement to elect species for examination be withdrawn.

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The Examiner is invited to telephone the Applicant's attorney, Mark Muller at (210) 308-5677, or the Applicant's below-named representative at (612) 373-6970 to facilitate the prosecution of this application. If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

JOSHUA OEN

By his Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
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P.O. Box 2938
Minneapolis, Minnesota 55402
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Date

January 3, 2005

By

Charles E. Steffey
Charles E. Steffey
Reg. No. 25,179

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 3rd day of January 2005.

Dennis J. Kamph
Name

[Signature]
Signature